



NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES

A barrier-free society for persons with disabilities



Ref: NCPWD/DMD/25 VOL.III (4)

August 1, 2023

NCPWD Circular No. 4/2023

TO: MINISTRIES, DEPARTMENTS, AND AGENCIES (MDAS)

**RE: IMPLEMENTATION OF THE DISABILITY INCLUSION PERFORMANCE INDICATOR FOR
FY 2023/2024**

The National Council for Persons with Disabilities is a State Agency established in November 2004 under the Persons with Disabilities Act No. 14 of 2003.

The Ministries, Departments and Agencies (MDAs) are obligated to comply with the Government policy on affirmative action for persons with disabilities. To this end, MDAs are required to implement the following guidelines on disability inclusion. The guidelines are in three parts as follows: **prerequisites, disability inclusion performance indicators, and explanatory notes.**

For effective implementation of the Disability Inclusion Performance Indicator, MDAs are required to implement the following prerequisites to lay the foundation for implementation of the indicator.

A. PREREQUISITES

1. Appoint a Disability Inclusion Committee to spearhead disability mainstreaming in the institution. The members of the committee should preferably be appointed from ICT, HR, Procurement, Finance and technical departments responsible for delivering the institution's mandate. We also recommend the appointment of an officer with disability from any of the cited departments.
2. Appoint a focal person for Disability Inclusion.

3. Train the Disability Inclusion Committee and sensitize senior management and staff on disability mainstreaming.
4. Register the institution on the NCPWD Career Portal for the posting of job advertisements for access by job seekers with disabilities.
5. Conduct a Disability-inclusion Audit of the institution on the Accessibility and inclusion of its facilities and products/services once every three years.

Note: Prerequisites are foundational to disability inclusion and only institutions that have implemented the prerequisites will be evaluated.

B. DISABILITY INCLUSION PERFORMANCE INDICATORS

The indicators are divided into four key areas, each with its corresponding sub-indicators.

- 1. Implement measures to progressively achieve the requirement on employment of at least 5% persons with disabilities out of the total staff in-post (25%);**
 - a. Provide data on the total number of staff with disabilities employed against the MDA's total staff in-post as at 1st July 2023.
 - b. Upload advertisements of employment opportunities on the NCPWD Career Portal.
 - c. Provide the number of persons with disabilities employed within the financial year against the total staff in-post as at 30th June 2024.
- 2. Implement measures to achieve the requirement of Access to Government procurement Opportunities for businesses owned by persons with disabilities. (25%);**
 - a. Provide the total annual procurement budget in Kshs.
 - b. Provide names and AGPO registration numbers of PWD-owned businesses awarded tenders and the amounts awarded.
- 3. Inclusive service delivery – (Provide products and services in such a manner that increases access and participation of persons with disabilities) (25%);**
 - a. Employment of sign language Interpreters or training at least one officer in a sign language course (lasting not less than 3 months) and/or hire of interpretation services to support service delivery to the Deaf.
 - b. Promotion of participation of persons with disabilities in public forums e.g., meetings, workshops, seminars, training and sensitizations on **delivery of the institution's mandate** etc.
 - c. Provision of accessible information and communications by availing Information, and communication materials in accessible formats:

- i. Audio
 - ii. Large print
 - iii. Braille
 - iv. Video with captioning and/or sign language interpretation
 - d. Provision of reasonable accommodation for staff and/or clients with disabilities (assistive technology and services e.g., wheelchairs, large monitors, screen reading software, sign language interpreters, aides)
- 4. Disability-inclusion Audit (Accessibility and Usability of Built Environment and Websites & Inclusive audits). (25%);**
 - a. Carry out a disability inclusion audit for the institution every three years.
 - b. Implement the basic accessibility requirements outlined in KS ISO 21542:2011 Building construction - Accessibility and usability of the built environment.
 - c. Implement the basic accessibility requirements outlined in the KS 2952 Accessibility of ICT products and services.
 - i. E-service delivery Web Portals
 - ii. Information delivery Websites
 - iii. Hardware

NOTE:

NCPWD will only receive performance evidence through the Disability Mainstreaming Reporting Portal, which can be accessed on NCPWD's website or through the provided link: <https://mainstreaming.ncpwd.go.ke/> . Performance evidence submitted through any other means will not be accepted.

C. EXPLANATORY NOTES.

Prerequisites:

This refers to a set of specific requirements or conditions that must be met before an institution can commence implementation of the disability inclusion performance indicator and/or undergo an evaluation for the implementation of the Disability Inclusion Performance Indicator. These prerequisites establish the foundation on which to build a disability-inclusive institution.

Why appoint a Disability Inclusion Committee?

The Disability Inclusion Committee is essential for the coordination of the whole institution's resources strategy to promote disability inclusion. The diversity of the committee's composition and expertise ensures that the inclusive agenda is owned across the institution and not one or two departments only. Accountability for inclusion is also shared by all.

The committee is responsible for driving the inclusive agenda and keeping all departments aware of the institutional inclusion commitments.

Why appoint a Focal Person for Disability Inclusion?

The focal person for disability inclusion is a member of the Disability Inclusion Committee. The person ensures coordination of disability inclusion work as detailed by the committee and links the NCPWD, institutional top management, and its departments in ensuring that everyone within the institution seized of their responsibilities in the implementation of the disability inclusion indicator.

The focal person should play the role of an advocate for disability inclusion throughout the organization to ensure that Kenyans with disabilities can access the institution and the services/products it is mandated to deliver.

Why register on the NCPWD Career Portal?

The NCPWD Career Portal is a digital platform powered by Artificial Intelligence (AI) that serves several objectives among them:

1. Providing information on job advertisements to job seekers with disabilities in accessible formats and conveniently.
2. Matching advertised job opportunities to persons with disabilities (PWDs) registered on the portal based on their skills and qualifications.
3. Offers employers a pool of qualified and diverse employment candidates with disabilities who meet various requirements of the job market.
4. Offers online employability skills training to job seekers with disabilities through e-learning modules.

Why conduct a Disability-Inclusion Audit?

Conducting a Disability-Inclusion Audit is the starting point to establishing the baseline for improving accessibility of the institution and its products and services. The audit is conducted against the requirements of inclusion policies, and regulations to ensure compliance with respect for disability rights. Addressing issues highlighted in an audit helps an institution to experience the benefits of a diverse, equal and inclusive workplace including great reputation and productivity.

What are the Disability Inclusion Performance Indicators?

Disability Inclusion Performance Indicators are metrics or measures used to assess and track the level of inclusion and accessibility for persons with disabilities within an organization. These indicators are essential for evaluating the effectiveness of disability inclusion efforts and identifying areas for improvement.

What is the purpose of the indicators, and what type of evidence is required?

1. Implement measures to progressively achieve the requirement on employment of at least 5% persons with disabilities out of the total staff in-post.

Section 13 of the Persons with Disabilities Act No. 14 of 2003 and Article 54(2) of the Constitution provide for the reservation of 5% of employment opportunities for persons with disabilities.

a. Provide disaggregated data on the total number of staff with disabilities employed against the MDA's total staff in-post as of 1st July 2023.

Upload the required baseline data on the Disability Mainstreaming Reporting Portal, following the specified format, to enable the Council to determine the percentage of employees with disabilities (PWDs) in your institution as of July 1, 2023.

b. Upload advertisements of employment opportunities on the NCPWD Career Portal.

Post job advertisements on the portal as they become available; the information will be verified by the Council from the NCPWD Career Portal.

c. Provide the number of persons with disabilities employed within the financial year against the total number of in-post staff at the of the financial year.

Upload the required data on the Disability Mainstreaming Reporting Portal, following the specified format, to enable the Council to determine the level of progress in compliance with the provisions on employment of PWDs, as of June 30, 2024.

2. Implement measures to achieve the requirement for persons with disabilities-owned businesses to Access Government Procurement Opportunities. (25%);

The AGPO program is designed to give effect to Articles 55 and 227 of the Constitution of Kenya regarding affirmative action and fair and transparent public procurement. The programme's primary objective is to enhance

economic inclusion and empowerment by mainstreaming marginalized groups during government procurement for products and services.

a. Provide the total annual procurement budget in Kshs.

Provide the yearly procurement budget on the Disability Mainstreaming Reporting Portal.

b. Provide names and AGPO registration numbers of persons with disabilities-owned businesses awarded tenders and the amounts awarded.

Furnish NCPWD with names and AGPO registration numbers, following the specified format, for businesses owned by persons with disabilities (PWDs) that have been awarded tenders, along with the corresponding awarded amounts. This information will assist the Council in evaluating the level of compliance with the AGPO policy.

3. Inclusive service delivery – (Provide products and services in such a manner that increases access and participation of Persons with Disabilities) (25%);

All MDAs are established to deliver specific mandates to Kenyans. Improving inclusivity ensures that MDAs are able to deliver their mandates in such a manner that persons with disabilities can access them and their services/products on an equal basis with other Kenyans. This means that persons with disabilities can not only access the MDAs and use their services and products but can also shape the services and products through participation in public engagements of the MDAs. This contributes to a more inclusive society by promoting equal opportunities for all.

a. Employment of sign language Interpreters or training at least one officer in a sign language course (lasting not less than 3 months) and/or hire of interpretation services to support service delivery to the Deaf.

The Deaf form a significant section of the Kenyan population. MDAs need to build capacity to serve the Deaf effectively through employment, training staff or hiring sign language interpretation services to support the delivery of services to the Deaf.

To demonstrate compliance, institutions must furnish the Council with evidence in the form of employment appointment letters, staff training certificates, or documentation for procurement of sign language interpretation services.

b. Promotion of participation of persons with disabilities in public forums e.g., meetings, workshops, seminars, training and sensitizations on delivery of the institutions' mandate etc.

Public participation is central to the governance structure as established by the Constitution of Kenya. Persons with disabilities often find themselves marginalized in public affairs. It is therefore imperative that all MDAs deliberately implement measures to ensure the participation of persons with disabilities in the delivery of their various mandates.

This ensures that there is diversity in public engagements conducted to shape policies, laws, products and services delivered to the public and that all Kenyans can access and use them.

MDAs will need to provide evidence of participation in the form of attendance lists indicating the participation of persons with disabilities in public fora.

c. Provision of accessible information and communications by putting it into accessible formats:

Access to information is a basic right. Many groups of persons with disabilities access and consume information in alternative formats. It is essential therefore to provide critical information and communications formats amenable to the needs of individuals with visual impairments or reading difficulties.

i. Audio

Audio materials enable those who cannot read printed materials or Braille to access and engage with the content through sound. Offering information in audio format allows institutions to remove barriers to access

and empower individuals with disabilities, enabling them to stay informed and actively engaged in public affairs, thereby enhancing their overall inclusion and participation in society.

To verify compliance, institutions must paste links of the audio clips in websites or any other public domain they use on the NCPWD Reporting Portal for evaluation purposes.

ii. Large print

Offering accessible information and communications through the availability of Information and Communication materials in large print is vital to accommodate individuals with visual impairments or low vision. Large print materials improve legibility and readability, making content more accessible to those with visual challenges. By providing information in large print, institutions can ensure equal access for all individuals, fostering inclusivity and enhancing the participation of those with visual difficulties in various activities and services. To demonstrate their commitment to accessibility, institutions will need to provide samples of documents, brochures, banners, or publications produced in large print format, showcasing how the information has been adapted to meet the needs of individuals with visual impairments or low vision.

iii. Braille

Making Information and Communication materials available in Braille is essential to address the needs of individuals who are blind or have severe visual impairments. By providing information in Braille, institutions ensure equal access, independence, and promote inclusivity for individuals with visual disabilities, enabling them to participate in educational, professional, and social activities. To demonstrate compliance, institutions must upload scanned copies of the cover page, first page, and back page of the Braille materials as evidence for evaluation.

iv. Video with captioning and/or sign language interpretation

Providing accessible information and communications in video format with captioning and/or sign language interpretation is crucial to ensuring inclusivity for individuals who are deaf or hard of hearing. Captioning allows those with hearing impairments to comprehend spoken content in videos, while sign language interpretation caters to individuals who primarily use sign language to communicate. By incorporating captioning and sign language interpretation, institutions can eliminate communication barriers, promote equal access to information, and improve engagements of individuals with hearing disabilities in various activities and services. To demonstrate compliance, institutions must paste links of the videos with accessibility features in websites or public domains used on the Disability Mainstreaming Reporting Portal for evaluation purposes.

d. Provision of reasonable accommodation for staff and/or clients with disabilities (assistive technologies and services e.g., wheelchairs, large monitors, screen readers, sign language interpreters, aides/assistants etc.)

Offering reasonable accommodations for staff and/or clients with disabilities is essential as it ensures equal opportunities and accessibility, supports inclusive and diverse workplaces or service delivery environment. These accommodations, such as access to assistive technologies, wheelchairs, screen readers, sign language interpreters, aides/assistants etc., break down barriers and empower persons with disabilities to participate fully in activities and perform tasks independently. By providing these accommodations, institutions create diverse and inclusive cultures that support and empower persons with unique abilities to contribute to society. For evaluation purposes, evidence in the form of payment vouchers, photos, receipts, and invoices will be uploaded to demonstrate compliance with providing reasonable accommodations.

4. Disability-inclusion Audit (Accessibility and Usability of Built Environment and Websites & Inclusive audits). (25%);

The importance of a Disability-inclusion Audit (Accessibility and Usability of Built Environment and Websites & inclusive audits) is to establish a baseline and create a roadmap for improving inclusion. The audits identify barriers and gaps in accessibility within the built environment and digital platforms, such as websites, ensuring that they are usable and navigable by people with disabilities.

a. Carry out a disability inclusion audit for the institution every three years.

Conducting disability inclusion audits regularly i.e., every three years is important because it allows the MDA to continually improve inclusion for persons with disabilities. The audit identifies areas of improvement to ensure compliance with accessibility standards through implementation of specific measures to achieve institutional accessibility and inclusivity objectives. For evaluation purposes, institutions must upload the pages containing the audit report's recommendations and/or the implementation matrix of those recommendations to demonstrate compliance with the audit process.

You will have the opportunity to conduct a self-evaluation using the document available on the Disability Mainstreaming Reporting Portal.

b. Implement the basic requirements outlined in KS ISO 21542:2011 Building construction - Accessibility and usability of the built environment.

Implementing the basic requirements outlined in KS ISO 21542:2011 Building construction - Accessibility and usability of the built environment is crucial to ensure that the built environment is accessible and usable for all persons, including those with disabilities. Adhering to these standards creates inclusive spaces that promote equal access and enhance the overall experience and participation for persons with disabilities.

c. Implement the basic standards of the KS 2952 Accessibility of ICT products and services.

- i. E-service delivery Web Portals**
- ii. Information delivery Websites**
- iii. Hardware**

Adhering to the fundamental standards of KS 2952 Accessibility of ICT products and services is vital to guarantee accessibility for all, including persons with disabilities, in ICT-related products and services. To assess compliance, institutions must provide their website links and web portal links to allow the NCPWD to test the accessibility level and ensure equal access for all users.

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